

## Expungement Review

You may request a review to have your name expunged (removed) from the registry once it's been on a certain number of years. How long you have to wait depends on:

- ▶ The date the allegation was substantiated, and
- ▶ Your child protection level (if any).

Read the attached form to learn when you may request an expungement review. You may NOT request one while you're required to be on the sex offender registry.

## What happens if I request one?

1. You'll get the chance to present information to a reviewer. They'll consider factors such as the:
  - ⇒ Nature & number of substantiations,
  - ⇒ Amount of time that's passed,
  - ⇒ Likelihood that it will happen again,
  - ⇒ Things you've done to change, and
  - ⇒ References to your character.
2. You'll be notified of the decision, which is made by the DCF Commissioner.
3. If your request is denied, you may appeal to the Human Services Board.

## Request a Review

1. Read the attached form to learn if you are eligible for a review.
2. If you are eligible, please complete and sign the attached form.
3. Answer the questions completely and accurately.  
**We cannot process your request unless it's complete.**
4. Indicate if you are choosing a review of the substantiation or requesting an expungement.
5. Mail or email the form to:

Department for Children and Families  
Commissioner's Registry Review Unit  
HC 1 North, 280 State Drive  
Waterbury, VT 05671-1080  
[Registry.Review@vermont.gov](mailto:Registry.Review@vermont.gov)

If you have questions or need assistance, call (802) 241-2321.

### You have the right to:

- ▶ Free interpretation services if you have limited English.
- ▶ Reasonable accommodations if you have a disability.



# Vermont's Child Protection Registry



When DCF investigates a report of child abuse or neglect, we must decide whether there is enough information to prove the person abused or neglected a child. If the answer is YES, the report is substantiated and the person's name is added to the Child Protection Registry, unless the substantiation is overturned after review.

## What's in a registry record?

1. The person's name.
2. At least one other fact to help identify them (e.g., date of birth).
3. The date & nature of the finding.
4. A child protection level related to their risk of future harm to children — for all records added on or after July 1, 2009.

## Can the public access the registry?

No. But current or potential employers may access it if:

- ▶ The current or potential employee gives their permission, and
- ▶ The work involves children, youth or vulnerable adults.

## How can a record affect me?

It could affect your ability to:

- ▶ Adopt a child,
- ▶ Become a child care provider,
- ▶ Provide foster/respite care, and
- ▶ Work or volunteer in positions involving children, youth or vulnerable adults.

Others may request your record if it's relevant. This includes:

- ▶ Adult/child protection agencies,
- ▶ Board of Medical Practice, and
- ▶ State's attorneys.

## Substantiation Review

If the allegations were substantiated:

- ▶ **From January 1, 1992 to August 31, 2007:**

You may request a review to challenge it — at any time.

- ▶ **On/after September 1, 2007:**

You may request a review to challenge it — within 30 days of when we notified you that:

- ⇒ We intend to add your name to the registry.
- ⇒ You have the right to request a substantiation review.

## What happens if I request one?

1. We'll contact you to schedule a meeting with an independent reviewer.
2. Once it's scheduled, we'll send you a confirmation letter and copies of redacted investigative documents.
3. After the meeting, the reviewer may:
  - ⇒ Uphold the substantiation,
  - ⇒ Overturn it, or
  - ⇒ Direct DCF to reopen the investigation.
4. You'll be sent a decision letter.
5. If the reviewer upholds the substantiation:
  - ⇒ We'll add your name to the registry (or keep it on if it's already there).
  - ⇒ You may appeal the decision to the Human Services Board.

### If you don't request a review in the time allowed:

- ▶ Your name will be added to the registry (or stay if it's already there).
- ▶ The decision will be final and you'll have no further right to request a substantiation review.

## REQUESTING A REVIEW FROM Vermont's Child Protection Registry

### Instructions for making a request:

1. Start by reading the information below to see if you may request one — at this time.
2. If you can, complete the next page.
3. Mail or email your completed and signed form to the address provided.

### SUBSTANTIATION REVIEW

| When the allegations were substantiated   | When you may request a review                                                              |
|-------------------------------------------|--------------------------------------------------------------------------------------------|
| ▶ From January 1, 1992 to August 31, 2007 | ▶ At any time                                                                              |
| ▶ On or after September 1, 2007           | ▶ Within 30 days from when we notified you of the substantiation and your right to review. |

### EXPUNGEMENT REVIEW

You may NOT request one while you are required to be on the sex offender registry.

| When the allegations were substantiated  | Your child protection level | How long you have to wait |
|------------------------------------------|-----------------------------|---------------------------|
| ▶ Before July 1, 2009                    | No level                    | 3 years                   |
| ▶ From July 1, 2009 to February 28, 2019 | 1                           | 7 years                   |
|                                          | 2                           | 3 years                   |
| ▶ On or after March 1, 2019              | 1                           | 15 years                  |
|                                          | 2                           | 7 years                   |
|                                          | 3                           | 3 years                   |
|                                          | 4                           | 1 year                    |

If the substantiated behavior happened before you were 10, your registry record will be automatically expunged when you turn 18 — as long as you have no additional substantiations.

## Request for a Registry Review (page 2)

Check the type of review(s) you're requesting:

- ☐ **SUBSTANTIATION REVIEW** - to challenge the substantiation
- ☐ **EXPUNGEMENT REVIEW** - to have your name expunged (removed) from the registry
- ⇒ If you're asking for an expungement review, is it related to employment? ☐ yes ☐ no

**ANSWER THE FOLLOWING QUESTIONS COMPLETELY AND ACCURATELY. PRINT CLEARLY.**

### Information about the person being reviewed for child abuse or neglect

|                            |                                |               |
|----------------------------|--------------------------------|---------------|
| Last name                  | First name                     | Middle name   |
| Other names used           |                                |               |
| Mailing address            | City/town & state              | Zip code      |
| Date of birth (mm/dd/yyyy) | Daytime phone (with area code) | Email address |

### Parent/legal guardian if the person above is a minor

Include your information below if you're the parent/guardian of the child, or legal guardian of the adult, who is the subject of this request.

|                                |               |             |
|--------------------------------|---------------|-------------|
| Last name                      | First name    | Middle name |
| Daytime phone (with area code) | Email address |             |

### Signature of the person being reviewed OR the parent/legal guardian, if they are a minor

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Mail or email your completed form to:**

Department for Children and Families  
Commissioner's Registry Review Unit  
HC 1 North, 280 State Drive  
Waterbury, VT 05671-1080  
Registry.Review@vermont.gov

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